

IN THE SUPREME COURT OF THE UNITED STATES

No. 24-109

STATE OF LOUISIANA, APPELLANT

v.

PHILLIP CALLAIS, ET AL.

No. 24-110

PRESS ROBINSON, ET AL., APPELLANTS

v.

PHILLIP CALLAIS, ET AL.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA

MOTION OF THE UNITED STATES FOR LEAVE TO PARTICIPATE IN ORAL
ARGUMENT AS AMICUS CURIAE AND FOR DIVIDED ARGUMENT

Pursuant to Rules 28.4 and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves for leave to participate in the oral argument in these consolidated cases as amicus curiae in support of appellees and moves that appellees' argument time be divided as follows: 10 minutes for appellees; 10 minutes for the State of Louisiana,

appellant in No. 24-109; and 10 minutes for the United States. The State of Louisiana has authorized us to state that they join in this motion in full. Appellees have authorized us to state that they consent to this motion in part: Appellees consent to the United States receiving 10 minutes of their time and to appellees retaining at least 10 minutes of their time; appellees will set forth their position on the remaining time in a separate filing. The Secretary of State, who has purported to file a brief as an appellee in No. 24-109, opposes this motion.

This case involves a racial-gerrymandering challenge under the Fourteenth and Fifteenth Amendments to a redistricting plan that Louisiana adopted in response to judicial decisions finding a likely violation of Section 2 of the Voting Rights Act of 1965 (VRA), Pub. L. No. 89-110, 79 Stat. 437 (52 U.S.C. 10301). This Court has requested supplemental briefing "addressing the following question raised on pages 36-38 of the Brief for Appellees: Whether the State's intentional creation of a second majority-minority congressional district violates the Fourteenth or Fifteenth Amendments to the U.S. Constitution." 8/1/2025 Order. The Department of Justice enforces Section 2 and has a substantial interest in the statute's proper interpretation. 52 U.S.C. 10308(d). The United States also has a substantial interest in ensuring that its citizens are not subject to unconstitutional

racial discrimination. The United States is filing a supplemental brief as amicus curiae in support of appellees today.

The United States has previously presented oral argument as amicus curiae in cases involving constitutional racial-gerrymandering claims, the interpretation of Section 2, or both. See, e.g., Alexander v. South Carolina State Conference of the NAACP, 602 U.S. 1 (2024); Allen v. Milligan, 599 U.S. 1 (2023); Virginia House of Delegates v. Bethune-Hill, 587 U.S. 658 (2019); Abbott v. Perez, 585 U.S. 579 (2018); Cooper v. Harris, 581 U.S. 285 (2017); Wittman v. Personhuballah, 578 U.S. 539 (2016); Bethune-Hill v. Virginia State Bd. of Elections, 580 U.S. 178 (2017); Alabama Legislative Black Caucus v. Alabama, 575 U.S. 254 (2015). The United States' participation in oral argument in this case accordingly may be of material assistance to the Court.

On August 27, 2025, the State of Louisiana filed a supplemental brief urging the Court to affirm the district court's judgment, while the Robinson appellants in No. 24-110 continue to urge reversal. Given the adversarial position between the appellants, Louisiana recognizes that it would "make[] little sense" for the State to use argument time allotted to appellants.

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Accordingly, the United States proposes, and the State of Louisiana agrees, that the appellees' argument time should be

equally allocated, with 10 minutes to appellees, 10 minutes to Louisiana, and 10 minutes to the United States.

Appellees agree in part. They agree to the United States receiving 10 minutes of their time and to appellees retaining at least 10 minutes of their time. Appellees will set forth their position on the remaining time in a separate filing.

In the view of the United States and the State of Louisiana, the Secretary of State of Louisiana should not be granted oral-argument time, both because the State's interests are already being represented by the Solicitor General of Louisiana and because the Secretary of State previously filed a letter on August 1, 2024, under this Court's Rule 18.2, "giv[ing] notice that she has no interest in the outcome of the appeal."

Respectfully submitted,

D. JOHN SAUER
Solicitor General
Counsel of Record

SEPTEMBER 2025